

UNITED STATES BANKRUPTCY COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION  
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IN RE: DEVONDA ARPHINE ROGERS,  
  
Debtor.

Case No.: 3:19-bk-02591-JAB  
Chapter 13

**MOTION TO EXTEND TIME TO CURE ARREARAGE**

COMES NOW the Debtor, DEVONDA ARPHINE ROGERS, through her undersigned attorney, and moves this Court to enter an order granting the Debtor twenty (20) months, or until July 10, 2024, by which to cure her payment arrearage and as grounds therefore would show the Court as follows:

1. On July 10, 2019, the Debtor filed a voluntary petition for relief under Chapter 13, title 11, U.S.C.

2. On October 6, 2022, the Trustee filed a Motion to Dismiss for Failure to Make Confirmed Plan Payments (Doc. 98). At the time of the filing of the Motion, the Debtor was behind \$5,569.74.

3. On October 6, 2022, this Court entered an Order Denying Trustee's Motion to Dismiss for Failure to Make Confirmed Plan Payments and Directing Debtor to Make Payments (Doc. 99). The Order requires the Debtor to be current by December 5, 2022.

4. The monthly plan payment is \$2,183.75. The Debtor paid \$1,304.00 on October 6 and \$1,400.00 on November 21. The arrearage currently totals \$6,233.24. The Debtor has struggled to make her plan payments due to multiple medical procedures she has had since the case was filed. Her only source of income is SSI disability for herself and her 7 year old daughter which currently totals \$4,172.00 per month.

5. The Debtor has been notified that starting in January, her SSI will increase to \$2,982.00 and that her daughter's will increase to \$1,573.00. This is a total monthly

increase of \$383.00 per month.

6. The Debtor will be able to make the plan payment due in December. With the increase in SSI, the Debtor believes she will be able to make the regular plan payment and a cure payment of \$328.07 beginning with the payment due in January, 2023 and continuing until the final payment due in July, 2024.<sup>1</sup>

7. The Debtor requests that this Court allow the Debtor to cure her existing arrearage by making additional monthly payments of \$328.07 beginning with the payment due in January, 2023, while continuing to make the confirmed plan payments of \$2,183.75.

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By: /s/ Lisa C. Cohen  
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#### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished by electronic mail to all other parties who have appeared via CM/ECF on this 1<sup>st</sup> day of December, 2022.

/s/ Lisa C. Cohen  
Lisa C. Cohen

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<sup>1</sup> When the petition was filed, the Debtor received the SSI payments in the second week of each month. The payment date was changed to the third week of the month. As her plan payments are due on the 9<sup>th</sup>, her payments will always be about ten days late.